

INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT

REGARDING THE CALIFORNIA BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:

The Office of Statewide Health Planning and Development OSHPD is mandated to adopt the most recent edition of model code, as amended by the Office, pursuant to Health and Safety Code Section 18928. This rulemaking represents OSHPD's proposal to adopt the 2006 International Building Code (IBC) published by the International Code Council carrying forward specified existing California amendments of the 2001 California Building Code (CBC) and coordinating with California amendments to the California Mechanical Code.

CALIFORNIA CHAPTER 1
GENERAL CODE PROVISIONS

Section 110

These provisions are being relocated from Section 101.17.13 of the 2001 CBC. Identifies the scope of application of OSHPD and its responsibilities for enforcement and specific authority to adopt and enforce the provisions of the code.

APPENDIX CHAPTER 1
ADMINISTRATION

Section 101.1

Editorial changes were made.

Section 101.4

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

Section 101.4.7

OSHPD regulated facilities are exempt from California Energy Code requirements by statute.

Section 102.1.1

This section is amended to make reference to the California Chapter 1, General Code Provisions for applications regarding OSHPD 1, 2, 3 and 4 (hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers) for clarification and to avoid conflict.

Section 102.6

This section refers to the International Codes for legal occupancy of existing structures. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Code is proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

Section 103.3

This section refers to the International Property Maintenance Code (IPMC) for partial adoptions. The OSHPD is proposing to replace the reference to the IPMC with the California Mechanical Code. The California Mechanical Code is proposed to be based upon the Uniform Mechanical Code, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the Uniform Mechanical Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended IPMC would apply.

Section 104.11.3

The proper reference for peer review is added for its potential use in evaluating an alternate means of compliance.

Section 107.3

This section refers to the ICC Electrical Code for temporary power. The OSHPD is proposing to replace the reference to the ICC Electrical Codes with the California Code. The California Code is proposed to be based upon the National Electrical Code, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the National Electrical Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended ICC Electrical Code would apply.

CHAPTER 2 DEFINITIONS

Section 201.3

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

CHAPTER 3 USE AND OCCUPANCY CLASSIFICATION

OSHPD proposes to adopt the entire chapter without amendments.

CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

Section 406.4.2

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

Section 406.6.3

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based

upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

Section 406.6.5

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

CHAPTER 5 GENERAL BUILDING HEIGHTS AND AREAS

OSHPD proposes to adopt the entire chapter without amendments.

CHAPTER 6 TYPES OF CONSTRUCTION

Section 603.1

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

Section 603.1.1

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

Section 603.1.3

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

CHAPTER 7 FIRE-RESISTANCE-RATED CONSTRUCTION

Section 716

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

Section 717

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based

upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

Section 719

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

CHAPTER 8 INTERIOR FINISHES

OSHPD proposes to adopt the entire chapter without amendments.

CHAPTER 9 FIRE PROTECTION SYSTEMS

Section 903

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

Section 912

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

CHAPTER 10 MEANS OF EGRESS

Section 1003.1.1

An existing amendment from the 2001 CBC is being carried forward to the appropriate location.

Section 1017

This section refers to the International Codes for partial adoptions. The OSHPD is proposing to replace the reference to the International Codes with the California Code. The California Codes are proposed to be based upon the International and Uniform Codes, the amendment is necessary to ensure that the statutory code is properly referenced and to ensure changes to the International and Uniform Code proposed by OSHPD are applied and enforced. Without this amendment, the non-amended International Code would apply.

CHAPTER 30 ELEVATORS AND CONVEYING SYSTEMS

Section 3003

The existing amendment to Section 3003.3 of the 2001 CBC is no longer necessary and is not being carried forward since the 2006 IBC model code covers this requirement.

Section 3007

An existing amendment from the 2001 CBC is being carried forward to the appropriate location.

CHAPTER 32 ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

OSHPD proposes to adopt the entire chapter without amendments.

CHAPTER 35 REFERENCED STANDARDS

Existing amendments from the 2001 CBC are being carried forward to the appropriate location.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

There are no documents to identify.

CONSIDERATION OF REASONABLE ALTERNATIVES

No reasonable alternatives exist.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

No adverse impact on small business.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

No adverse impact on business.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Not Applicable.